

March 29, 2006

*Via Electronic Delivery*

The Honorable Kevin J. Martin  
Chairman  
Federal Communications Commission  
445 Twelfth Street SW  
Washington, DC 20554

Re: *Telecommunication Relay Services and Speech-to-Speech Services for  
Individuals with Hearing and Speech Disabilities*  
CG Docket No. 03-123 – *Ex Parte*

Dear Chairman Martin:

As we discussed at our meeting on February 22, 2006, Sorenson Communications has announced plans to allow the users of its videophones to call not only Sorenson VRS interpreters, but also the interpreters of other Video Relay Services (VRS), by not later than July 1, 2006. Sorenson Communications is one of the companies that has helped to revolutionize and distribute the breakthrough technology known as VRS, the first technology in history that enables deaf people to communicate electronically in their own language – American Sign Language (ASL) – through an interpreter to hearing people. Title IV of the Americans With Disabilities Act, adding Section 225 of the Communications Act of 1934, requires the efficient creation of access to VRS for all deaf Americans, wherever they live and work; only access through videophones to qualified interpreters and then to hearing people can meet the mandate of “functional equivalence” between deaf-to-hearing communications and hearing-to-hearing communications.

VRS is only a few years old, and Sorenson has been engaged in providing VRS systems only since 2003. The Sorenson system essentially consists of a proprietary videophone attachment to a television that uses a broadband connection to route calls to a server that in turn locates a remote interpreter. This integrated system has proved to be a superior way to provide functional equivalence, and Sorenson has installed tens of thousands of such systems in deaf households in the last few years.

So far less than 10% of all deaf people using ASL have access to VRS in their households and probably even a smaller percentage of business and public locations have VRS access. Plainly, VRS providers in general have a long road to travel in order to provide 100% access. No matter how long it takes to meet the goals of the law, Sorenson

is committed to providing the public service of functional equivalence for deaf-to-hearing communications.

In conversations with our customers, and other deaf consumers of VRS services, Sorenson has become acutely aware that some Sorenson customers would like to be able to use their Sorenson videophones to call interpreters of other VRS providers. As we understand it, one of the reasons some Sorenson customers want access to other interpreters is that they believe they could expedite their calls, reducing the time it takes to connect to an interpreter, if they had the option to use an interpreter of another VRS provider.

After consulting with members of the deaf community, and considering the technological as well as economic issues, we decided to make changes to our system to allow our customers to use Sorenson videophones to call the interpreters of other VRS providers, using the networks of those other providers. Of course, customers will be able to call only other VRS providers that are willing to accept their calls.

We have argued strongly that a mechanism to compensate a VRS provider for access (development, installation, customer training, repair, and maintenance) as well as interpreting is an important part of the FCC's deliberations in determining whether to require VRS providers to allow customers to call the interpreters of other VRS providers. Such additional costs would include, at least, development, installation, customer training, repair, and maintenance. Not only are these important and significant costs borne by VRS providers that install videophones, but also the success of the program in expanding to reach more than the current ten percent of the deaf community currently served by VRS providers depends on providing fair incentives to ensure that customers have access to VRS services, by conducting the activities listed above, including installation and maintenance. We continue to believe that a mechanism to compensate VRS providers that perform such activities is not only fair, but essential, and should become effective as soon as possible after July 1, 2006.

Our willingness to allow Sorenson customers to call the interpreters of other VRS providers is subject to two important conditions. First, once VRS providers are subject to emergency calling requirements, we will need to ensure that Sorenson customers who need to reach 911 can be routed to the appropriate public safety access point in the most expeditious and reliable manner possible. We will work with other VRS providers and take the steps necessary to make sure that competitive considerations do not interfere with 911 availability.

Second, we do not intend to enable our customers to connect to interpreters of any VRS provider that restricts its customers' ability to connect to Sorenson's interpreters. This approach seems pro-competitive to us. In addition, Sorenson will ensure that its customers are fully informed about the way in which the new system works.

We will work hard to make the necessary changes and are confident that all arrangements can be made no later than July 1, 2006, and Sorenson customers will be able to call the interpreters of other providers on that date. We will also work closely with other VRS providers so that customer service does not suffer during this transition.

We continue to believe that the reimbursement method should encourage not only reimbursement for interpreters, but also for the provision of access, which encompasses installation and maintenance, among other things. Without access the law's mandate will not be met; an interpreter can never be reached by a deaf person without a videophone that has been installed correctly and works properly with the customer's broadband service.

We believe it is critical that the FCC conduct a proceeding regarding rate methodology that will produce a method for fairly and predictably compensating VRS providers that provide access, including installation, training, maintenance and repair. As in many analogous situations, a workable method probably should include a division of compensation between the installing provider and the interpreting provider. Various VRS providers that subcontract the interpreting service already engage, in effect, in such compensation division. We believe the interests of the deaf, and America's commitment to ensuring that deaf people have access to functionally equivalent communications services, require the FCC to undertake such a proceeding.

Sincerely,

/s/ Pat Nola  
Pat Nola  
President and CEO

cc: Marlene H. Dortch, Secretary  
Jonathan S. Adelstein, Commissioner  
Michael J. Copps, Commissioner  
Deborah Taylor Tate, Commissioner  
Monica Desai, Consumer & Governmental Affairs Bureau Chief  
Jay Keithley, Deputy Bureau Chief (Policy)  
Thomas Chandler, Disability Rights Office Chief